

**FILED**

AUG 26 2008

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES**

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY VNH This space for DEPUTY  
Clerk's Office File Stamp

TO: ☒ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE

Roger T. Benitez

FROM: Angela Rowland, Deputy Clerk

RECEIVED DATE: 08/18/08, USDC

08/04/08, USCA

CASE NO.: 08cv965-BEN-LSP DOCUMENT FILED BY: Petitioner Tony Mabry

CASE TITLE: Mabry v. Scribner

DOCUMENT ENTITLED: Motion & Declaration for Appointment of Counsel: Pursuant to.....

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
X 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	<b>Document not filed electronically. Notice of Noncompliance already issued.</b>
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
X 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
X	<u>OTHER: Document caption directed to U.S. Court of Appeals, case number is U.S. District Court case number.</u>

Date forwarded: 08/21/08

**ORDER OF THE JUDGE / MAGISTRATE JUDGE**

**IT IS HEREBY ORDERED:**

- ☒ The document is to be filed nunc pro tunc to date received.
- ☐ The document is NOT to be filed, but instead REJECTED. and it is ORDERED that the Clerk serve a copy of this order on all parties.

Rejected document to be returned to pro se or inmate? ☐ Yes. Court Copy retained by chambers ☐

Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: Benitez

Dated: 8/26/08  
cc: All Parties

By: RSN